



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

WATER  
DIVISION

June 21, 2021

Mr. Michael Tvenge  
Kodiak City Manager  
710 Mill Bay Road  
Kodiak, Alaska 99615

Dear Mr Tvenge:

This letter regards the City of Kodiak's proposed transportation and disposal of the *Wild Alaskan* at sea (United States Coast Guard Documentation Number 558637). According to information you provided to the U.S. Environmental Protection Agency on August 7, 2020, the *Wild Alaskan* is a 198-gross ton steel-hulled towing vessel that is 124 feet long and 29 feet wide, 9 feet in draft, and approximately 95 feet in height. The vessel was built in 1974. The *Wild Alaskan* has been in the custody of the City of Kodiak since it was determined to be a "port risk" and was impounded on December 21, 2017.

The transportation and disposal of vessels in ocean waters is regulated under the Marine Protection, Research, and Sanctuaries Act (MPRSA), 33 U.S.C. § 1401 *et seq.* Specifically, a vessel may be disposed at sea only under the conditions specified in the MPRSA general permit for the transportation and disposal of vessels (General Permit) published in the Code of Federal Regulations at 40 C.F.R. § 229.3, a copy of which is attached. Disposal of a vessel at sea should only be pursued when land-based alternatives are not available or are not practicable. Other options for disposing of obsolete or unwanted vessels include re-using the vessel or parts of the vessel; recycling or scrapping; preparing the vessel for use as an artificial reef; and disposing of the vessel on land.

EPA has reviewed the information you submitted on August 7, 2020, regarding the need for ocean disposal of the *Wild Alaskan* and your evaluation of alternatives to ocean disposal, as required under 40 C.F.R. § 229.3(a)(1)(i) and (v). EPA has concluded that you have explored and ruled out other alternatives to ocean disposal for the *Wild Alaskan*. EPA has also reviewed information you provided in response to requirements under 40 C.F.R. § 229.3(a)(1)(ii-iv). This includes a description of the *Wild Alaskan* and the type of cargo it normally carried, a description of the proposed disposal procedures, and information related to the potential effects of the ocean disposal on the marine environment. Based on EPA's review of this information, and in coordination with other appropriate federal agencies, EPA has concluded that you have provided sufficient information to satisfy the requirements of 40 C.F.R. § 229.3(a)(1).

All persons interested in coverage under the General Permit are required to remove, to the maximum extent practicable, all materials from the vessel that may degrade the marine environment (40 C.F.R. § 229.3(a)(1)(3)) prior to disposal at sea. To help clarify what materials may be covered under this condition, EPA has provided you with a list of examples of materials that may degrade the environment and should be removed and notified you that other materials identified during the U.S. Coast Guard (USCG) inspection of the vessel may have also required removal. On September 28, 2020, EPA received the City of Kodiak's Limited Hazardous Material Survey for the *Wild Alaskan*. On May 18, 2021, the USCG Marine Safety Detachment (MSD) Kodiak conducted a post-hazardous material waste

removal inspection. On May 20, 2021, EPA received notice from the USCG Sector Anchorage that the *Wild Alaskan* was cleaned as required by 40 C.F.R. § 229.3(a)(3) and (4), and that the following had been removed:

- a. Asbestos: Gaskets/seals, transite in electrical panels, braided electrical wiring, and window glazing throughout the vessel.
- b. Chipping lead paint on identified interior and exterior bulkheads.
- c. Remaining oil and/or oily residue within the fuel tanks, lines, and engine room bilge.

The USCG provided photos in support of its determination. After coordination, EPA and the USCG agree that the vessel preparation and pollution abatement requirements of 40 C.F.R. § 229.3(a)(3) have been met. Therefore, the *Wild Alaskan* may be transported for disposal at sea, subject to the remaining General Permit conditions at 40 C.F.R. § 229.3(a)(5)-(9). Furthermore, no explosives have been approved to scuttle the *Wild Alaskan*.

Per the *Wild Alaskan* Disposal Plan Memorandum, dated April 22, 2021, from the Kodiak Harbormaster, Mike Sarnowski, EPA understands that the City of Kodiak intends to dispose of the *Wild Alaskan* at the following coordinates, which is approximately 55 nautical miles from the nearest point of land from Kodiak Island, Alaska in over 1000 fathoms of water:

Latitude: 56 degrees, 59 minutes, 24 seconds North  
Longitude: 150 degrees, 47 minutes, 24 seconds West

Disposal of the *Wild Alaskan* within one-half nautical mile of this location is expected to meet the following requirements of the General Permit at 40 C.F.R. § 229.3(a)(5) and (6), ensuring that the disposal of the vessel shall:

- take place no closer than 12 miles from the nearest land;
- occur in water depths no less than 50 fathoms (300 feet); and
- not take place in established shipping lanes, designated marine sanctuaries, or locations where the submerged hulk may present a hazard to commercial trawling, or national defense.

When sinking the vessel, you must pay particular attention to ensuring that the vessel sinks to the bottom rapidly, that marine navigation will not, in fact, be impaired (40 C.F.R. § 229.3(a)(5)), and that the entire disposal event takes place during daylight hours (40 C.F.R. § 229.3(a)(7)).

Pursuant to 40 C.F.R. § 229.3(a)(8), you must provide the following notices prior to the vessel disposal:

- Forty-eight (48) hours in advance of the proposed disposal, to:
  - Betsy McCracken, EPA Ocean Dumping Coordinator, Wetlands and Ocean Section, at [mccracken.betsy@epa.gov](mailto:mccracken.betsy@epa.gov);
  - Andrew Ready, USCG MSD Kodiak, at [Andrew.M.Ready@uscg.mil](mailto:Andrew.M.Ready@uscg.mil); and
  - The Captain-of-the-Port (COTP) at [rven.t.garcia@uscg.mil](mailto:rven.t.garcia@uscg.mil).
- Twelve (12) hours in advance of the of the vessel's departure from port to:
  - Betsy McCracken, EPA Ocean Dumping Coordinator, Wetlands and Ocean Section at (907) 271-1206;
  - USCG MSD Kodiak at (907) 654-4071; and

- The COTP at (907) 428-4163.

Pursuant to 40 C.F.R. § 229.3(a)(8), the 12-hour notification must include: the proposed departure time and place, disposal site location, estimated time of arrival on site, and the name and communication capability of the towing vessel. Any schedule changes must be reported to the COTP as soon as possible.

In order to ensure compliance with 40 C.F.R. § 229.3(a)(6), when providing the above 48-hour notice via email to EPA and the USCG, please notify the Pacific Fleet for the U.S. Navy via email to Robert Nowack at robert.w.nowak@navy.mil and Joseph Lopiccolo at joseph.lopiccolo@navy.mil, as well as, Kimberly Preacher, Northwest Department of Defense RCT lead at Kimberly.peacher@navy.mil.

You must notify the National Ocean Service, National Oceanographic and Atmospheric Administration (NOAA), Nautical Data Branch, in writing, within one week of the disposal, of the exact coordinates to the nearest second of latitude and longitude of the actual disposal site so that it may be marked on appropriate charts. You must include any information that was gathered during the disposal event that can corroborate the position information. Such information may include the recorded depth at the disposal site or a screen shot of the tow vessel's depth sounder that depicts the hulk resting on the bottom with position and depth information. Address the information to:

Department of Commerce, National Oceanic and Atmospheric Administration, Nautical Data Branch  
N/CS26, Station 7308 1315 East-West Highway, Silver Spring, MD 20910

In addition, please send a report Betsy McCracken, EPA Ocean Dumping Coordinator, Wetlands and Ocean Section, at mccracken.betsy@epa.gov within one week of the disposal stating the coordinates of the disposal. Include photos of the vessel sinking beneath the surface.

This letter includes a collection of information that is subject to the Paperwork Reduction Act. You are not required to respond to collection of information in this letter unless it displays a currently valid control number from the Office of Management and Budget. The currently valid control number for the information collection in this letter is 2040-0008.

Sincerely,

Cami Grandinetti, Manager  
Standards Assessment and Watersheds Management Branch

Enclosure: MPRSA General Permit for the transportation and disposal of vessels, published at 40 CFR 229.3.

cc: Lt. Andrew Ready, MSD Kodiak, U.S. Coast Guard  
U.S. Coast Guard, Captain of the Port, Sector Anchorage, U.S. Coast Guard